

## **NOTICE OF STATUTORY FEDERAL LIEN**

**NOTICE IS HEREBY GIVEN** by the United States of America to all parties that it holds a lien on the real property, lands and premises described below situated in the State of Arkansas, as provided by Section 107(l) of the Comprehensive Environmental Response, Compensation and Liability Act, as amended ("CERCLA"), 42 U.S.C. §9607(l), to secure payment to the United States of all costs and damages covered by that section for which the owner Norphlet Chemical, Inc., and its successors and assigns, are liable to the United States of America under Section 107(a) of CERCLA, as amended, 42 U.S.C. §9607(a). The purpose of this **NOTICE OF STATUTORY FEDERAL LIEN** is to notify all interested parties that, pursuant to Section 107(l) of CERCLA, 42 U.S.C. §9607(l), which provides in pertinent part: (1) All costs and damages for which a person is liable to the United States under sub-section (a) of this section shall constitute a lien in favor of the United States upon all real property and rights to such property which (A) belong to such person; and (B) are subject to or affected by removal or remedial action. The lien for which this instrument gives notice that a **STATUTORY FEDERAL LIEN** exists in favor of the United States upon all real property and rights to such property which belong to said person and are, have been, or will be, subject to, or affected by, removal or remedial actions as defined by federal law, at or near the Norphlet Chemical, Inc. facility being more particularly described as the following lands lying in Norphlet in the County of Union, State of Arkansas, to wit:

Commencing at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 21, Township 16 South, Range 15 West, and thence North 26°58' 55" West 43.74 feet along a fence; thence North 13°43' 47" West 38.76 feet along a fence; thence North 02°24' 08" West 380.57 feet along a fence to a fence corner; thence North 45°00' 58" West 20.84 feet along the fence to a fence corner; thence North 83°54' 57" West 119.62 feet along a fence to a fence corner; thence North 03°58' 52" East 366.40 feet along a fence; thence North 06°17' 16" East 159.80 feet along a fence; thence North 63°53' 57" West 269.45 feet; thence North 24°15' 28" East 487.73 feet to the Southerly right of way of the Missouri Pacific Railroad; thence South 50°13' 30" east 485.12 feet along said right of way; thence along said right of way around a curve to the right, having a radius of 2770.44 feet and a length of 1452.53 feet; thence South 20°11' 13" East 1559.56 feet along said right of way; thence leaving said right of way North 87°52' 21" West 985.46 feet along a fence to a fence corner; thence South 01°36' 29" West 700.00 feet along a fence to a fence corner; thence South 87°52' 21" East 736.55 feet along a fence and its extension to the East line of the Southwest Quarter of the Northeast Quarter of Section 28, Township 16 South, Range 15 West; thence South 0°38' 41" West 591.51 feet to the Southeast Corner of said Southwest Quarter of the Northeast Quarter; thence North 89°00' 04" West 1319.85 feet to the Southwest corner of the said forty; thence North 0°43' 15" East 1317.37 feet to the Northwest Corner of the said forty; thence North 0°43' 15" East 1317.37 feet to the point of beginning.

### **LESS AND EXCEPT:**

Beginning at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 28, Township 16 South, Range 15 West, Union County, Arkansas, and run North 01°30' 00" East along the West line of the said forty 710.36 feet to the West right-of-way

line of the Missouri Pacific Railroad; thence South 20°21' 00" East along the said right-of-way line 767.3 feet to the South line of said Northeast Quarter of the Northeast Quarter; and thence North 88°08' 00" West along the said South line 285.45 feet to the point of beginning.

This statutory lien shall exist and continue until the liability for such costs and damages (or a judgment against the previously listed person arising out of such liability) is satisfied or becomes unenforceable through operation of the statute of limitations provided in section 113 of CERCLA, 42 U.S.C. §9613. The amount of the lien will increase as additional costs are incurred in responding to conditions on the above described property. The United States has caused this instrument to be effected through the United States Environmental Protection Agency, as evidenced by my signature, in my official capacity as Director, Superfund Division, United States Environmental Protection Agency, Region 6, Dallas, Texas, and by the seal of the United States Environmental Protection Agency.

Signed at Dallas, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2009

By: \_\_\_\_\_  
Samuel Coleman, P.E.  
Director  
Superfund Division

(Seal)

State of Texas        )  
                              )  
County of Dallas     )

Subscribed and sworn to before me, the undersigned notary public, on this \_\_\_\_\_ day of \_\_\_\_\_, 2009, by Samuel Coleman, P.E., Director, Superfund Division, United States Environmental Protection Agency, Region 6, Dallas, Texas, who is known to me and personally appeared before me in his official capacity.

\_\_\_\_\_  
Notary Public in and for the  
County of Dallas, State of Texas